

station with a religious format. All of my previous years of radio experience had involved religious format stations.

As the overall economy had worsened, I knew I could still successfully operate the station and serve the community with a religious format. I had contacts with potential clients, and there was an opening in the market for that format.

On September 25, 1991, I learned that that opening had just closed. On that day I visited the office of Maranatha Advertising in Costa Mesa, California. Its main client is the Word For Today broadcast from Calvary Chapel Church. In a conversation I had with the media buyer, Teresa Rivera, I learned that the church had just purchased a new FM radio station in Pocatello, Idaho that would serve much the same market area I was proposing to serve with my proposed station from Blackfoot. She told me the church was going to increase the station's power and would use a format very similar to the one I was planning to use, featuring many of the same clients I was planning to sell time to.

Upon further investigation I learned that she was correct. The station, KRSS, which is actually licensed to Chubbuck, was acquired by the church in the fall of 1991, and is operated as a commercial religious station. I confirmed that KRSS was going to carry many of the same religious programs I had hoped to put on my station.

For me this dramatically changed the competitive situation in the market. The church had a tremendous head start. I knew it would be many months before I could get my station on the air. I also knew that the market was too small and the economy too "soft" to support 2 commercial religious stations. I felt I had lost a good market opportunity because of the nearly 6 year delay involved in the comparative hearing process.

Throughout the remainder of 1991 and into 1992, I proceeded with planning for construction of the station while I explored the options available to me.

In January 1992, I requested and received an updated site management plan from the BLM. On January 10, 1992 I requested, and later received new call letters from the FCC. I spoke to the president of the Users Group at the transmitter site. I consulted with my engineer and equipment supplier concerning technical aspects of the construction and the necessary equipment. I contacted Mr. Kent Frandsen to proceed with my plans to install my antenna on his tower. Over the course of several conversations, Mr. Frandsen suggested to me that, if anticipated changes in the FCC duopoly law were adopted, he would like to buy my C.P. At first, I told him it wasn't for sale. But upon further reflection, I thought that with the change in the local competitive situation with the format I knew best, and with the poor overall state of the economy, a station with a duopoly operation and its inherent efficiencies and economies probably represents the best hope for a successful operation.

I consulted with my attorney and he told me that FCC law permitted me to sell my C.P. for the expenses I had into it at that point. I then decided that was the best thing to do, and contacted Mr. Frandsen to make arrangements to sell the C.P. to his company, Western Communications, for my expenses.

I declare under penalty of perjury that the foregoing is true and correct.

11/9/92

Date



Signature

CERTIFICATE OF SERVICE

I, Marilyn L. Phillips, hereby certify that on this 10th day

CERTIFICATE OF SERVICE

I, Roberta Wadsworth, a secretary in the law offices of Fletcher, Heald & Hildreth, hereby certify that I have on this 15th day of July, 1993, had copies of the foregoing "PETITION FOR CERTIFICATION TO COMMISSION" mailed by U.S. Main first class, postage prepaid, to the following:

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* denotes hand delivery